

fw

## CERTIFICATE OF MAILING

I hereby certify that the below listed items are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

Mail Stop **IDS**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

on 06-02-04.

Gloria Simmons  
Gloria Simmons

In Re Application of:

Cox et al.

Serial No.: 10/880,780

Filed: March 15, 2004

Confirmation No.: Not yet assigned

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

Docket No.: 010350-1020

For: **Calcium Sulphate-Based Compositions and Methods of Making Same**

The following is a list of documents enclosed:

Return Postcard  
Information Disclosure Statement  
Information Disclosure Citations Form PTO-1449  
Cited Prior Art (24 References)

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of:

Cox et al.

Confirmation No.: Not yet assigned

Group Art Unit: Not yet assigned

Serial No.: 10/800,780

Examiner: Not yet assigned

Filed: March 15, 2004

Docket No.: 010350-1020

For: Calcium Sulphate-Based Compositions and Methods of Making Same

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

This information disclosure statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, and specifically:

- ☒ under 37 CFR 1.97(b), or  
(within Three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:  
☐ Statement Under 37 C.F.R. 1.97(e), or  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before the final office action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:  
☐ Statement under 37 CFR 1.97(e), and  
☐ a \$180.00 petition fee set forth in 37 CFR 1.17(p).  
(Filed after final office action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Enclosed is a check in the amount of \$

Enclosed is Credit Card Payment Form (PTO-2038) in the amount of \$

Please charge \$ to deposit account . At any time during the pendency of this application, please charge any fees required to Deposit Account pursuant to 37 CFR 1.25. The Commissioner is hereby requested to credit any overpayment to Deposit Account No. 20-0778.

- ☒ Applicant(s) submit herewith *Form PTO 1449A - Information Disclosure Statement by Applicant* together with copies (where required) of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may or may not be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. As required by 37 C.F.R. §1.98(a), a legible copy of each document is provided.
- ☐ A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on the form PTO 1449 and is enclosed herewith.

The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention over any of the listed documents should they be applied as reference, and/or the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.

This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present application does not exist. Any statements or identifications regarding the relevance of any portion(s) of cited references should not be construed as a representation that the most relevant portion(s) have been identified, and the absence of such statements or identifications should not be construed as representations that there are no relevant portion(s). The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is requested that the information disclosed herein be made of record in this application and that the Examiner initial and return a copy of the enclosed PTO-1449 to indicate the documents have been considered.

Respectfully Submitted,

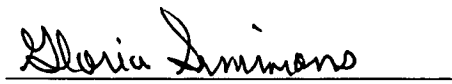
THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.

By:   
Cynthia J. Lee, Reg. No. 46,033

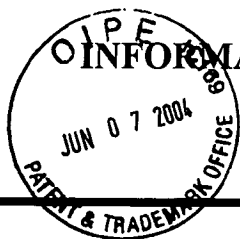
100 Galleria Parkway, Suite 1750  
Atlanta, Georgia 30339-5948  
770-933-9500

**CERTIFIED MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "First Class Mail," in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 06.02.04

  
Signature

Form PTO-1449

Attorney Docket No.  
**010350-1020**Serial No.  
**10/800,780****INFORMATION DISCLOSURE CITATION***(Use several sheets if necessary)*Applicant  
**Cox et al.**Filing Date  
**March 15, 2004**Group  
**Not yet assigned****U.S. PATENT DOCUMENTS**

Examiner Initials	Item	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A	1,901,051	03/14/33	W.S. Randel et al.			08/08/29
	B	2,448,218	08/31/48	Haddon	106	111	12/17/42
	C	2,913,308	11/17/59	Dailey et al.	23	122	07/07/53
	D	3,437,330	04/08/69	H.K. Worner	263	53	11/26/65
	E	3,797,758	03/19/74	Cherdron et al.	241	29	06/16/72
	F	3,820,970	06/28/74	Watkins	71	1	12/27/72
	G	3,906,083	09/16/75	George	423	555	05/11/72
	H	4,091,080	05/23/78	Kosugi et al.	423	555	10/17/75
	I	4,120,737	10/17/78	Berrie et al.	106	109	05/03/74
	J	4,173,610	11/06/79	Huller et al.	264	28	12/24/76
	K	4,309,391	01/05/82	O'Neill	423	172	12/03/80
	L	4,377,414	03/22/83	Buschmann et al.	106	85	09/04/80
	M	4,569,831	02/11/86	Cohen	423	171	04/01/85
	N	5,015,499	05/14/91	Koslowski	423	172	05/22/87
	O	5,015,450	05/14/91	Koslowski	423	172	05/22/87
	P	5,093,093	03/03/92	Koslowski	423	171	05/10/89
	Q	5,169,617	12/08/92	Clemens et al.	423	555	02/19/90

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

<p>* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.</p>	
EXAMINER'S SIGNATURE:	DATE CONSIDERED:

Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Serial No.  
10/800,780

Applicant  
Cox et al.

Filing Date  
**March 15, 2004**

Group  
Not yet assigned

[illegible][illegible]

--	--	--

**EXAMINER'S SIGNATURE:**

DATE CONSIDERED: